

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PATRICIA CUMMINGS,

Plaintiff,

-against-

**DECLARATION**

19 Civ. 07723 (CM) (OTW)

THE CITY OF NEW YORK; NEW YORK CITY DEPARTMENT OF EDUCATION; GIULIA COX; COURTNEY WARE; BEN CHAPMAN; NEW YORK DAILY NEWS; DR. ANDRE PERRY; THE HECHINGER REPORT a/k/a HECHINGER INSTITUTE ON EDUCATION AND THE MEDIA; LENARD LARRY McKELVEY a/k/a *CHARLAMAGNE THA GOD*; WWPR-FM (105.1 MHZ); iHEARTMEDIA; CLEAR CHANNEL COMMUNICATIONS, INC.; NEW YORK STATE SENATOR, KEVIN S. PARKER; COALITION OF EDUCATIONAL JUSTICE; ANGEL MARTINEZ; NATASHA CAPERS, PHILIP SCOTT; ADVISE MEDIA NETWORK n/k/a AFRICA DISPORA NEWS CHNNEL, and “JOHN DOE AND JANE DOE #1-100” said names being fictitious, it being the intent of Plaintiff to designate any and all individuals, officers, members, agents, servants, and/or employees of the aforementioned agencies owing a duty of care to Plaintiff, individually and jointly and severally,

Defendants.

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**ALIZA J. BALOG**, declares, pursuant to 28 U.S.C. § 1746 and under penalty of perjury, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the office of James E. Johnson, Corporation Counsel of the City of New York, attorney for the defendants The City of New York, as well as the New York City Department of Education (“DOE”), Giulia Cox, and Courtney Ware (together, with DOE, the “DOE Defendants”). I make this declaration in support of DOE Defendants and City’s motion to dismiss the First Amended Complaint.

2. I have annexed to this declaration the following exhibits, which are submitted in support of DOE Defendants and City Defendants' motion to dismiss the complaint:

Exhibit A. Redacted OSI Investigative Report, dated July 24, 2018;

Exhibit B. Notice of Claim, dated September 24, 2018.

Dated: New York, New York  
June 25, 2020



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**ALIZA J. BALOG**